



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/775,171
Applicant : John V. Bernardi et al.
Filing Date : February 11, 2004
Title : Substrate with Membrane Seam Plates Fixed
Thereon for Precise Placement of Seam Plates on
Roof Decking Assemblies
TC/A.U. : 3635
Examiner : NGUYEN, Chi Q.
Docket No. : OMGMW/124/US
Customer No. : 002543

Mail Stop Petition
Commissioner for Patents
United States Patent and
Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified Application became abandoned for failure to file a timely and proper reply to an Office Action mailed on March 11, 2009. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

A grantable petition requires the following items:

- (1) Petition fee set forth in 37 CFR § 1.17(m);
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995, and for design applications; and
- (4) Statement that the entire delay was unintentional.

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1. Petition fee

Applicant encloses herewith a check for \$1620.00 to cover the fee set forth in 37 CFR § 1.17(m) for an applicant other than a small entity.

2. Reply and/or issue fee

Applicant encloses herewith a Notice of Appeal and a check for \$540.00 to cover the fee set forth in 37 CFR § 41.20(b)(1) for an applicant other than a small entity.

3. Terminal disclaimer with disclaimer fee

Since this utility application was filed on or after June 8, 1995, no Terminal Disclaimer is required.

4. Statement that the entire delay was unintentional

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Respectfully Submitted,

John V. Bernardi et al.

By: 

Alexander E. Andrews
Registration No. 62,205
Alix, Yale & Ristas, LLP
Attorney for Applicant

Date: November 13, 2009
750 Main Street, Suite 1400
Hartford, CT 06103-2721
(860) 527-9211
Our Ref: OMGMW/124/US

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